

# Meeting Memorandum

## Table Rock Lake SMP Focus Groups – Meeting 2

### Introduction

A series of three focus group meetings were held at Dewey Short Visitor Center in Branson, Missouri regarding the Table Rock Lake Shoreline Management Plan (SMP) update. The focus groups that met were:

- Vegetative Modification; September 15, 2015
- Docks; September 16, 2015
- Shoreline Allocations; September 17, 2015

The purpose of these meetings was to elicit input from stakeholder perspectives via focus group members on potential updates to the current Shoreline Management Plan. These meetings were held to address the following three discussion points of potential updates as they relate to each topic (vegetative modification, docks, and shoreline allocations):

- What should not be changed about the management of Table Rock Lake and why?
- What should be changed in the current SMP and why?
- Recommendations for addressing the items that should be changed.

Tony Porter opened each meeting with a discussion of general logistics and goals for the meeting. He thanked the group for their time and attendance and stated that the desired outcome of this meeting was to receive guidance from the stakeholders on potential updates to the current SMP document. He explained that the purpose of these meetings is not to arrive at a consensus among members, but to provide a means for all members to voice their concerns and desires for the SMP update. .

### General Notes

These meetings were conducted with break-out group sessions to address each of the discussion points of potential changes as listed above. Groups were formed randomly and each sub-group was given approximately one to two hours to discuss potential changes amongst themselves. The goal of the break-out sessions was not to concur on all issues, but to discuss viewpoints and document comments for report-out sessions. At the end of each discussion period, a representative from each sub-group reported comments and discussion points. These comments were compiled into one document and is included within subsequent sections of this memo. This process was repeated for each of the three discussion points.

Staff in attendance at each meeting is listed below.

- Jim Sandberg, Operations Project Manager, Table Rock Lake Project Office
- Greg Oller, Deputy Operations Project Manager, Table Rock Lake Project Office
- Tony Porter, Deputy Director, Millwood Tri-Lakes Project Office

- Jeremy Rasnick, Ranger, Table Rock Lake Project Office (Vegetation Modification)
- Rodney Raley, Ranger, Table Rock Lake Project Office (Docks)
- Trish Tannehill, GIS Specialist, Table Rock Lake Project Office (Shoreline Allocation)
- Becky Shortt, Real Estate Specialist, Table Rock Lake Project Office
- Kelly Collins, CDM Smith
- Donie Grimsley, CDM Smith

## Vegetative Modifications

This subsection contains details and discussion notes specific to the Vegetative Modification Focus Group meeting. Members of this focus group in attendance were:

- Jeff Justus – Missouri House of Representatives
- Don Cupps – Ellis, Cupps, and Cole
- Carl Sieveking – Holiday Hideaway Resort
- Greg Cassell – Missouri Department of Conservation
- Janet Bezzerides – Boeker Group Real Estate
- Dave Murray – RB Murray Company
- Gail Melgren – Tri-State Water Resources Coalition
- Stuart Murray – Representative Scott Fitzpatrick
- Eric Simkins – American Family Insurance

Prior to dividing the group into sub-groups, there was a brief discussion. Dave Murray reminded the group of budget constraints identified at the first meeting and suggested that the group keep in mind ways to best utilize the existing budget. He also added that the breakout groups need to keep in mind the current designated uses and mission of the lake. He mentioned that water supply is not a current use of the lake. Gail Melgren added that the potential for a future water supply source was included in the master plan update. Jim Sandberg stated that the primary purposes of the lake are flood control and hydropower. Water between elevation 915 and 881 is currently allocated to hydropower, however, if water supply is added, the allocation would likely be taken from the hydropower allocation.

The first break-out session was held to develop a list of what should not be changed in managing Table Rock Lake and why. Break-out groups for this meeting were as follows:

- Group 1: Gail Melgren, Greg Cassell, and Janet Bezzerides
- Group 2: Stuart Murray, Jeff Justus, and Carl Sieveking
- Group 3: Eric Simkins, Dave Murray, and Don Cupps

The second break-out session was held to develop a list of what should be changed in the current SMP and why. Break-out groups for this meeting were as follows:

- Group 1: Stuart Murray, Janet Bezzerides, and Greg Cassell
- Group 2: Don Cupps, Gail Melgren, and Eric Simkins
- Group 3: Dave Murray, Carl Sieveking, and Jeff Justus

The third break-out session was held to provide recommendations for addressing the items that should be changed in the current SMP. For this session, the group was divided into only two sub-groups. Break-out groups for this meeting were as follows:

- Group 1: Greg Melgren, Eric Simkins, Dave Murray, and Janet Bezzerides
- Group 2: Don Cupps, Stuart Murray, Jeff Justus, and Carl Sieveking

The majority of the SMP vegetative modification group agreed that they would not want additional restrictions on vegetative modification regulations, and instead would prefer to see increases in allowances for vegetative modification on Corps property. Those in agreement suggested increasing the 200 foot vegetative management buffer to 200 feet from the Corps boundary in approved areas, as opposed to the current regulation, which allows vegetation modification 200 feet from the primary residence. There was also agreement from these individuals stating that they believe vegetative modification permits should be issued in approved areas of park and marina buffer zones. There were several issues of concern regarding regulations about trees under the current SMP. Those in agreement with looser restrictions suggested allowing removal of dead trees pending an electronic request with photographs; however, these individuals were generally in agreement with current restrictions limiting tree removal to those smaller than 2 inches in diameter.

Representing a different point of view, Greg Cassell and Gail Melgren were generally in agreement for tighter restrictions on vegetative modification on Corps property. As a representative of the Missouri Department of Conservation (MDC), Greg pointed out that MDC could not support potential loss of vegetation and/or habitat and was particularly supportive of protection of native vegetation and wildlife. Gail Melgren, representing Tri-State Water Resource Coalition, was largely in agreement with Greg, with a particular focus on potential degradation of water quality in Table Rock Lake from less restrictive vegetative management practices. Both Greg and Gail supported additional clarification of tree removal guidelines, as both agree that potential loss of fish habitat along the shoreline due to tree removal could negatively impact the overall health of the lake.

There were several cases where the entire group was in general agreement. The group agreed that trimming of trees should be allowed in cases where trimming promotes the overall health of the tree. Additionally, the group agreed that under certain provisions, the Corps should allow removal of invasive cedar trees on Corps property. Amongst the group there was a general disdain towards the prolific cedar trees as they tend to suppress native flowering trees as well as undergrowth that could be critical to run-off filtration. The entire group believes that regulations regarding 6-foot meandering paths do not need additional change, with the exception that some individuals suggested allowances of modifications for disabled and handicapped individuals. The group was also generally in agreement on regulations regarding the use of both heavy equipment and chemicals on Corps property. For heavy equipment, the group agreed that equipment should only be allowed with prior approval for erosion control purposes. In the case of chemical use, the group suggested that the Corps provide an approved list of environmentally safe chemicals that property owners could utilize without prior permission; those chemicals not on the list must be applied by a licensed professional with prior approval.

The results of report-out sessions are documented below. Each group considered specific sections of the current SMP considered relevant to vegetation modification by the Corps. These sections were provided to each member of the group and are provided in the commentary below. Text in red was

added by the Corps as suggestions for discussion. Each group was encouraged to both form their own topics for discussion related to the current SMP and to use this red text as possible discussion points. The results of discussion from each break out group are listed in bold by sub-group for each section of the document. Break-out session 1 addressed the discussion point, “What should not be changed about the management of Table Rock Lake and why?”; break-out session 2 addressed, “What should be changed in the current SMP and why?”; and break-out session 3 addressed, “Recommendations for addressing items that should be changed”. In some cases, a group had no comment on a particular section of the SMP. Comments highlighted in yellow indicate overlapping subject matter with another focus group that should be considered by the other focus group.

**Current SMP:**

SECTION VI

OTHER SHORELINE USES BY INDIVIDUALS

6-01. Private Exclusive Use of the Shoreline. Adjacent landowners must obtain a permit from the Table Rock Lake Resident Engineer prior to modification of land form or vegetative characteristics of the area. Permits will not be granted to individuals for use of lands allocated as public recreation areas including their buffers.

Require a vegetative modification plan?

Introduce Regional/General permit that would allow for actions to take place 50 ft onto Gov't property (no more issuance of single/individual permits; would require (1) applicant to ask and (2) verification letter); Master Plan land classifications would still apply (i.e. no actions on ESA); if applicant does not abide by terms/conditions, their authorization to use the regional/general permit is revoked

**Break-Out Session 1:**

**Group 1: Agree with the requirement for a permit**

**Group 2: No Comment**

**Group 3: Agree with Corps control of the shoreline to reduce public abuse of the land**

**Break-Out Session 2**

**Group 1: Regional/General permit would streamline things and make it easier for the public to understand. Janet and Stuart agreed that the 200 foot limit is ideal. MDC cannot support a 200 foot general permit. The group does not agree with the inability to acquire a permit within park and marina buffer zones.**

**Group 2: Concerns regarding the inability to acquire a permit due to park buffers and marina buffers. The group felt that this buffer zone needs to be reviewed. Jim stated that the original purpose of the buffer zone was to protect the park.**

**The group felt that the 200 foot vegetative modification zone should remain – with the following change: in all areas there should be a general permit for a 50 foot zone (including environmentally sensitive areas), with the ability to apply for a 200 foot**

**vegetative modification area in LDA. Tony stated that the Little Rock District is limited by the Master Plan as to what types of activities are allowed within ESA. Currently only limited activity (footpaths) are allowed in ESA. Don stated that he believes “limited activities” can be interpreted differently to include 50 feet of vegetative modification. There was discussion of the change from natural classification to ESA. Jim stated that the change to ESA required the land to be connected to an environmentally sensitive feature. Final consensus was that there needs to be review at the District level as to activities that are allowed in ESA.**

**Group 3: Agreement with 200 feet versus 50 feet. Carl believes that 200 feet is difficult to enforce due to elevation. He suggested that the 200 foot limit could be changed to 200 feet from the Corps line as opposed to distance from the dwelling. Dave stated that permitting should be established once and would not be renewed until the property is sold. This would streamline the process for the Corps.**

### **Break-Out Session 3**

**Group 1: MDC does not support permit expansion due to the loss of vegetation; however, the other three members of the group advocate vegetative modification 50 feet past the Corps line as long as it does not occur in an environmentally sensitive site. Outside ESA the Corps should allow 200 feet past the Corps take line with a permit which does not expire until the property is sold.**

**The group proposes allowance of vegetative modification within park and marina buffers. MDC cannot support this due to potential loss of vegetation.**

**Group 2: Majority agreed that vegetative modification should be allowed 200 feet from the property line. Tri-State Water does not support permit expansion due to the loss of vegetation.**

- **Trish will provide percent of shoreline within 200 feet of boundary in Low Density**

**The group proposes allowance of vegetative modification within park and marina buffers. Tri-State cannot support this due to potential loss of vegetation.**

### **Current SMP:**

6-02. Conditions. Construction of paths and other shoreline improvements will be subject to the following requirements.

(1) Only hand-operated tools and noncommercial riding lawn mowers may be used. The use of heavy equipment, such as tractors or bulldozers, is not permitted.

(2) Only dead or diseased trees previously inspected by the Resident Engineer or his representative may be cut. Any felled trees must be removed from project lands for disposal. No burning by individuals will be allowed on project lands. Any trees destroyed by natural causes will not be removed from project lands except by permission of the Resident Engineer or his representative.

**Allow dead tree removal?**

Upon approval, dead trees will be allowed to be removed if threatening personal property.

Dead trees not threatening personal property may be considered for removal if within the vegetative management permit area.

Any felled trees may be piled up on project lands for wildlife cover.

### **Break-Out Session 1**

**Group 1: Agree with the use of hand operated tools and restrictions of use of heavy equipment; agree with dead and diseased tree removal and restriction on burning; agree that woody debris should be left for wildlife and fish habitat**

**Group 2 and 3: Agree with restrictions on use of heavy equipment**

### **Break-Out Session 2**

**Group 1: agree with red suggestions above.**

**Group 2: burning rule should be clearly defined. Dead or diseased trees – resident engineers should not have to inspect, but this could be contracted to streamline and accelerate the process. Jim mentioned that resident engineer is the OPM or representative.**

**Group 3: agree with hand operated tools; however there are cases where other tools are required especially for larger trees. There should be a provision to define equipment. While the group agrees that this should not include bulldozers, they believe that this issue could be addressed by stating that there should not be any damage to soil (to prevent erosion) and if there are impacts to soil they must be mitigated. Additionally, there is little clarity on regulations regarding burning, especially during periods of flooding when burning of driftwood is needed. There was some discussion of bringing in a third party to determine tree removal guidelines. The group suggested using technology for this process – taking a picture and sending the picture to the Corps to receive approval (self-policing). Jeff suggested that this could also be completed by a third party contractor or volunteer. Either of these suggestions would streamline and accelerate the process of dead tree removal. Dave stated that there are significant dangers associated with dead trees and individuals should not be subject to the wait period of OPM approval. Jim started discussion on what dead trees are considered hazards. Carl suggested that those with veg mod permits and trees which may fall on homes and structures would be included in these standards. If the tree is in an area without a veg mod permit it could be allowed to fall to allow for wildlife habitat.**

### **Break-Out Session 3**

**Group 1: Heavy equipment can be used with written permission from OPM with the exception of small tractors used for erosion repair or waste clean-up.**

**Group 2: In order to use heavy equipment the individual would request approval via an electronic permit request with photos.**

- **Greg stated that any activity below the high water mark (920') requires a regulatory permit that is outside the regulations of the SMP**

**Current SMP:**

(3) Healthy trees, larger than 2 inches in diameter (measured at chest height), may not be removed. Flowering trees or shrubs, such as dogwood or redbuds, may not be cut regardless of their size. Trimming of healthy trees to obtain a view is prohibited. In certain cases, the Resident Engineer may restrict the cutting of trees less than 2 inches in diameter if it is determined it would create an erosion problem or similar adverse impact.

Diameter of trees permitted to cut? At the ground?

Removal of invasive species?

Require tree plantings in areas lacking trees

**Break-Out Session 1**

**Group 1: Partial agreement with restriction of tree removal of healthy trees larger than 2 inches in diameter; MDC feels that there should be limitations on cutting of trees less than 2 inches. All agree that flowering trees and shrubs should not be cut.**

**Group 2: No Comment**

**Group 3: Agree that flowering trees and shrubs should not be cut. The group agreed that removal of vegetation with thorns should be permitted.**

**Break-Out Session 2**

**Group 1: agree with 2 inch rule and allow removal of invasive species. Individuals should be allowed to plant native trees but it should not be required. MDC would like to see regulations reduced to less than 2 inches to allow for fish habitat. Gail and Greg agreed that there may be a limit set on elevation to keep this close to the lake line (keeping in mind that lake line changes based on water type years).**

**Group 2: Believe that flowering trees should be defined. The prohibition on trimming trees - trimming should be allowed with conditions that a forester would decide that trimming must be done in a fashion to protect trees (guidelines) - there should be a plan for tree trimming. Invasive species should be allowed to be removed. Disagree with any requirement of tree planting. Jim stated that the Corps position on tree planting is to encourage planting following dead tree removal (2 seedlings to 1 tree removed).**

**Group 3: Agree to define flowering trees. Trimming of healthy trees to obtain a view is prohibited, but the group believes that owners should be able to remove the dead portions of trees due to hazards. Greg agreed that this does promote the health of the tree. Additionally, substantial trees do not allow grass to grow (which promotes filtration), therefore trimming trees would allow additional grass growth. No issues with diameter. Suggest that a forester provide recommendations of plantings (not necessarily in the SMP but something that would be provided to the public). Carl stated that owners should be**



able to limb up trees in areas of veg mod particularly to allow for walking and mowing below trees.

### **Break-Out Session 3**

**Group 1: Dead trees that threaten life and property should be allowed to be removed with approval. Majority stated that all dead trees should be allowed to be removed with approval within all vegetation modification areas. Greg stated that MDC would like to see dead trees stay in place for bat and wildlife habitat if the tree does not threaten life and property. Agree with cedar removal where beneficial for habitat but not on bluff or drainage areas.**

**Group 2: Definition of flowering trees need to be established (Greg suggested a list of these trees could be established). Trimming should be allowed to promote the health of the tree and promote undergrowth (grasses and groundcover). This will also reduce current violations. Same thoughts on cedar trees.**

- **Greg stated that cedar trees that are not critical for riparian zones and on steep slopes could possibly be removed to restore native warm season grasses**

### **Current SMP:**

(4) The limits of vegetation modification are dependent on the proximity of habitable structures to the project boundary. The maximum allowable limits of vegetation modification are 200 feet. The actual limits of vegetation modification in each case will be determined by the Resident Engineer or his representative, and defined on the shoreline use permit.

Require applicant to obtain a registered land survey for private property adjacent to government land for verification.

Requirement that any time land is sold, have to have a survey completed to determine boundary line. Have this info filed at Corps office.

How is 200 foot measured?

Restrict mowing/under brushing across 'roadways'

### **Break-Out Session 1**

**Group 1: Agree with the 200 feet maximum allowable limit of vegetation modification. The group suggested a general vegetative permit to help alleviate staffing and budgeting issues within the Corps. The group also expressed the need for consistency within this regulation concerning enforcement.**

**Group 2 and 3: Agree with the 200 feet maximum allowable limit of vegetation modification (Do not want a reduction in this limit)**

### **Break-Out Session 2**

**Group 1: Janet and Stuart agreed with the idea to change the 200 foot rule from 200 feet from the foundation to 200 feet past the Corps boundary line, but MDC could not support**



**this change. This would allow consistency along the lake and would not punish property owners for setting their dwelling further back from the property line. There was discussion of the 200 foot space as a fire boundary. Greg and Tony discussed that regulations in this area state that only 30 feet of defensible space is required for fire protection (per the Fire Wise Program). Against requiring a survey for homeowners due to expense.**

**Group 2: 200 feet should be defined – there seems to be little consensus on the boundary among Corps staff. The group does that think surveys should be required. There should be no restrictions on veg permits where roadways separate the 200 foot distance.**

**Group 3: same as above – 200 feet measured from lot line rather than dwelling. If a survey is required it should be completed only when property is sold. Agree that there should be no restrictions on mowing where roadways separate the 200 foot distance.**

### **Break-Out Session 3**

**Group 1: agree with 200 feet from Corps line; MDC disagrees. Would not like survey required, but encouraged. Would like to allow veg modification along roadways; MDC does not agree with this.**

**Group 2: same as group 1 – Tri-State water has same views as MDC with interest in preserving WQ for potential future drinking water supply**

### **Current SMP:**

(5) Shoreline use permits may be issued to authorize pedestrian access paths from adjoining private property to the shoreline. These paths must follow meandering routes to reduce erosion and to minimize the need for removal of grasses, shrubs and small trees (less than 2 inches in diameter measured at chest height). It is recognized that paths constructed to blend into their natural surroundings will, by necessity, vary in width depending on physical conditions along the meandering path route. Pedestrian access paths to the shoreline should not exceed 6 feet in width, measured at their widest point(s). The shoreline use permit does not convey the right to construct any structures, such as bridges or steps, in connection with the path. If structures such as bridges or steps are proposed, a real estate outgrant will be required and must be obtained before any work is started.

Materials allowed for path permits?

Unimproved paths in ESA—what can be used? Mulch, gravel, bark

4ft path as opposed to 6ft path?

Real estate outgrants will not be considered.

Maximum length of a foot path?

Route of path cannot go in front of another adjacent property.

### **Break-Out Session 1**

**Group 1 and 2: Agree with the 6 foot path and the regulations associated with the path**

**Group 3: Agree that pathways must be covered in natural materials**

**Break-Out Session 2**

**Group 1: Fine with defined path materials and 6foot path. Fine with suggestion to not consider real estate outgrants. No restrictions on paths that go in front of adjacent properties as the path may need to meander. No maximum length on paths.**

**Group 2: Believe outgrants should be allowed because steps or bridges to a dock may be required due to topography**

**Group 3: same as above with exception – there should be provisions to allow access to personal docks for handicap individuals including allowing the use of golf carts and ATVs. There should be guidelines on constructing this path. May also consider allowing all individuals to access the lake in this fashion to allow transport of gas to personal watercraft, etc.**

**Break-Out Session 3**

**Group 1: Agree with prescribed path materials and keeping at 6 feet – real estate outgrants should be considered on case by case basis with emphasis on reducing erosion. No limit on length of paths and an understanding that paths may need to cross in front of property on Corps land in order to access shoreline.**

**Group 2: Agree with the way it is written; would like to see allowance for golf carts on paths to docks (not to entire shoreline) without prior approval as long as the use of the cart is not causing erosion or damage**

**Current SMP:**

(6) Requests for shoreline improvements involving landscaping activities must be accompanied by a detailed or well designed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, protection of the aesthetics and prevention of erosion.

**Remove landscaping from vegetative management (timbers, retaining wall blocks, etc.)**

**Break-Out Session 1**

**Group 1: agrees with requirement for approval of landscaping activities**

**Group 2 and 3: No Additional Comment**

**Break-Out Session 2**

**Group 1: Do not approve new landscaping but grandfather those already approved.**

**Group 2: Do not allow landscaping – but this must be defined (does it include mowing/tree trimming/invasive species removal? We believe it should not). Erosion control should be allowed.**

**Group 3: Landscaping may be used to prevent erosion problems in some cases and individuals should not be punished for this**

**Break-Out Session 3**

**Group 1: do not see the need for retaining walls and landscaping within vegetation modification**

**Group 2: only see the need for this provision in cases where it is a landscaping feature used for erosion control (propose changing the title of this section)**

**Current SMP:**

(7) When vegetation modification on project lands is accomplished by chemical means, the program will be in accordance with appropriate federal, state, and local laws, rules and regulations. A detailed plan of proposed work must be submitted to and approved by the Resident Engineer prior to work being accomplished. Information on acceptable chemicals can be obtained from the Natural Resources Management Branch, Little Rock District.

**Not allow private veg mod permits the use of chemicals for vegetation modification (protection of water quality); veg mod must be accomplished by mechanical means.**

**Break-Out Session 1**

**Group 1 and 3: Agree with current chemical use regulations – usage is allowed but governed**

**Group 2: No Additional Comment**

**Break-Out Session 2**

**Group 1: No use of chemicals near water, but should be allowed for removing invasive species when used in accordance with law. There needs to be a list of approved chemicals.**

**Group 2: same as above**

**Group 3: Chemicals should be allowed to be used in some cases such as killing trees and removal of stinging insects. There are classes of chemicals that are harmful to the environment and only the use of these should be limited. Jim mentioned the requirement to require application by a certified individual.**

**Break-Out Session 3**

**Group 1: restricted use chemicals allowed with permission from Corps when applied by licensed professional. Offer a list of suggested chemicals with no environmental problems and allow property owners to use these without prior permission**

**Group 2: agree with the way the regulation is currently written**

**Current SMP:**

6-03. Landscaping. Requests for this type of shoreline improvement must be accompanied by a detailed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, preservation of the aesthetics, and prevention of erosion.

Remove landscaping from vegetative management (timbers, retaining wall blocks, etc.)

**Break-Out Session 1**

**Group 1: Agree with regulations as written**

**Group 2 and 3: No Comment**

**Break-Out Session 2**

**Group 1: redundant – same as above**

**Group 2: Add policy for erosion control – guidelines for establishing erosion control. Jim added that all structures (retaining wall, etc) require a real estate license currently.**

**Group 3: no additional comments**

**Break-Out Session 3**

**Group 1: not addressed – redundant**

**Group 2: covered in prior section**

**Current SMP:**

6-04. Public Access Areas. There are other reaches of the shoreline that are popular areas for public use or have potential public use. Many of these areas have been kept mowed by the adjacent landowners, and it may be in the best interest of the general public to allow this practice to continue at those locations where substantial public use is made possible in part by the clearing and mowing. Each case has to be considered on an individual basis. All clearing and mowing activities will be covered by a permit, ENG Form 4264, and contain an added condition that "all lands covered by this permit will remain open at all times for use by the general public." In these areas, permittees will be strongly encouraged to consider as a part of their permit the enhancement of wildlife by the planting of cover, food plots, and trees in those areas under permit. The limits of mowing in each case will be determined by the Resident Engineer and defined on the shoreline use permit.

Mowing in front of other people's property

**Break-Out Session 1**

**Groups 1 and 2: No Comments**

**Group 3: Supports vegetative management at public use areas**

**Break-Out Session 2**

**Group 1: People should be able to maintain public access areas. MDC does not support creating new areas that would be mowed. Jim explained that this relates to subdivisions adding and maintaining public use areas.**

**Groups 2 and 3: no comments**

**Break-Out Session 3**

**Group 1: No change to current regulation**

**Group 2: No comment at this time**

**Current SMP:**

6-05. Project Boundary Line. Most of the boundary line on Table Rock Lake has been surveyed and monumented. The boundary line is defined by survey monuments (where undisturbed) placed at ground level. The survey markers are 3 1/2-inch diameter, round, brass caps and are stamped to show the monument number, the year surveyed and the agency Little Rock District, Corps of Engineers, U.S. Army. Normally, the project boundary is a straight line between survey markers. The elevation and distance between these survey markers varies. Any proposed alteration on public lands must be submitted to and approved by the Resident Engineer prior to modification.

**How to delineate/mark boundary lines (on permit, states has to be done)**

**Break-Out Session 1**

**Group 1, 2, and 3: Agree that government line should be marked**

**Break-Out Session 2**

**Group 1: no changes – but do not require surveys**

**Group 2: disagreement in group. Some believe no surveys should be required. Others stated that a survey and delineation could be required when the property changes hands. Jim stated that one recommendation is that adjacent property owners could be required to provide a survey prior to obtaining a dock. Carl stated that surveys should be encouraged but not required. Jim stated that surveys would help eliminate trespassing issues.**

**Group 3: Suggestion to encourage survey prior to issuing veg mod permit. This would be a one-time permit and survey. Suggestion to use GIS mapping advances to supplement survey process.**

**Break-Out Session 3**

**Group 1: Suggest enforcement of posting of post on property line**

**Group 2: Suggest enforcement of posting of post on property line**

**Current SMP:**

SECTION II  
OBJECTIVES OF THE PLAN

2-01 . General. Experience has shown that management is necessary to prevent large sections and possibly all of the shoreline from becoming congested with private floating facilities and thereby lost for public use and enjoyment. Management of the shoreline will provide an opportunity for optimum recreational experiences for the maximum number of people and assure compatibility among the recreating public, the environment, and project resources.

- a. The objectives of this plan are to manage and protect the shoreline, to establish and maintain acceptable fish and wildlife habitat, aesthetic quality and natural environmental conditions and to promote the safe and healthful use of the lake and shoreline for recreational purposes by all Americans.
- b. Boat owners are encouraged to moor their boats at commercial marinas or utilize dry storage facilities and trailer their boats to a public launching ramp. Launching ramps are provided in the Corps parks and at launching complexes developed by city, county or State Governments.
- c. Limited alteration of vegetation in limited development areas will be permitted to allow for vegetation modification, footpaths, planting and landscaping, underbrushing, mowing and erosion control

We allow vegetation permits outside of LDAs as long as they are in the Low Density land classification.

**Break-Out Session 2**

**Group 1: allow permits outside of LDA (Jim explained 37% of lake area is Low Density, of which 12% is LDA). MDC agrees if there is not a loss of vegetation along the shoreline.**

**Groups 2 and 3: agree**

**Break-Out Session 3**

**Group 1: agree with recommendation in red**

**Group 2: no comment at this time**

Prior to the 3<sup>rd</sup> break out session report out, Trish presented the Table Rock Pictometry oblique imagery program. This presentation was intended to give the group an idea of the technological capabilities available to the Corps. The program provides 3 inch imagery for the entire lake. Trish provided examples of area and height measurement applications as well as imagery of illegal mowing and encroachments.

Tony closed the meeting with an explanation of the upcoming 3<sup>rd</sup> meeting and expressed gratitude for the attendance and input of the group.

**Next Meeting – October 6<sup>th</sup> at 8AM**

## Docks

This subsection contains details and discussion specific to the Docks Focus Group meeting. Members of this focus group in attendance were:

- Duane Boggs – Kings River Marina
- J.L. Jones - Attorney
- Booker Cox – Foggy River Realty
- Steve Faria – The Chalets on Table Rock Lake
- Tonya Glover – Stone County Planning and Zoning
- Bill Jones – Branson Bank
- Gary Haupt – Missouri Water Patrol
- Lowell Mielke – Kimberling City Alderman
- Ruth Burns – Dry Docks
- Matt Walz – Missouri Highway and Water Patrol
- Jennifer Stein – Summer Table Rock Lake Ranger and Real Estate Agent
- June Constable – Tri-Lakes Realtors

Trish presented the Table Rock Pictometry oblique imagery program. This presentation was intended to give the group an idea of the technological capabilities available to the Corps. The program provides 3 inch imagery for the entire lake. Trish provided examples of area and height measurement applications as well as imagery of illegal mowing, dock imagery with swim decks and lockers, and encroachments. Becky provided an overview of lease area capabilities for marinas.

The first break-out session was held to develop a list of what should not be changed in managing Table Rock Lake and why. Break-out groups for this meeting were as follows:

- Group 1: Booker Cox, Tonya Glover, Steve Faria, and Bill Jones
- Group 2: Ruth Burns, Matt Walz, Jennifer Stein, and Gary Haupt
- Group 3: Dwayne Boggs, Lowell Mielke, June Constable, and J.L. Jones

The work in the second break-out session was changed from the vegetative modification meeting for better time management. The groups were asked to develop a list of what should be changed in the current SMP and why as well as recommendations for addressing the items that should be changed in the second break-out session. Break-out groups for this meeting were as follows:

- Group 1: Steve Faria, Matt Walz, Tonya Glover, and J.L. Jones
- Group 2: Ruth Burns, Dwayne Boggs, Booker Cox, and Gary Haupt
- Group 3: June Constable, Jennifer Stein, Bill Jones, and Lowell Mielke

The Docks focus group agreed on most potential changes to the current SMP. Discussions regarding the dock permitting and renewal process were focused on developing alternatives to streamline the process and reduce overhead costs for the Corps. Focus group members generally agreed that the Corps should develop a certified third party dock inspection program, similar to the way electrical dock permitting is currently handled. The group also agreed that the community dock program should be managed by the association that owns the dock. In this case, the Corps would regulate the



inspection and permitting process, but approval amongst owners for modifications and replacements would be up to the discretion of the association (Corps would continue to approve plans for modifications and replacements).

The group agreed that there should be changes to the regulation regarding 12-stall minimum docks. One sub-group believes the minimum should be reduced to 2-stall docks, while another group suggested a reduction to a 1-stall minimum. The third group also suggested a 2-stall minimum, with the caveat that the 12-stall minimum continues to be enforced on congested portions of the lake. All members suggested allowing slip ownership at more than one dock, with the majority of participants suggesting a maximum ownership of four slips. There were mixed feelings on requirements for Community Dock Owners Association Agreements (CDOAs) or contract for sales. Additionally, all members agreed that family members should be able to utilize docks temporarily.

During a report-out session, Matt Walz explained the inconsistencies and problems associated with dock buoys to the group. He explained that law currently dictates a no wake zone 100-feet from docks. As a result, dock buoys are redundant and can only be placed within 100-feet of docks. He explained that water patrol receives many calls regarding incorrect placement of buoys, and these calls distract from more pertinent matters on the lake. He suggested requiring dock owners utilize Missouri Water Patrol Signs in place of buoys; see Figure 1 for an illustration of this sign. The entire group agreed that these signs placed on the end of docks, as well as increased efforts for boater education on no wake regulations would be the best means of reducing damage to docks, boats, and shorelines from excessive wakes. The group stated that the current SMP should be reflected to suggest Missouri Water Patrol signage in lieu of current dock buoys. Additional information regarding the sign and specifications are available at: <http://www.mshp.dps.missouri.gov/MSHPWeb/WaterPatrol/Buoy/documents/noWakeSignForDocks.pdf>.

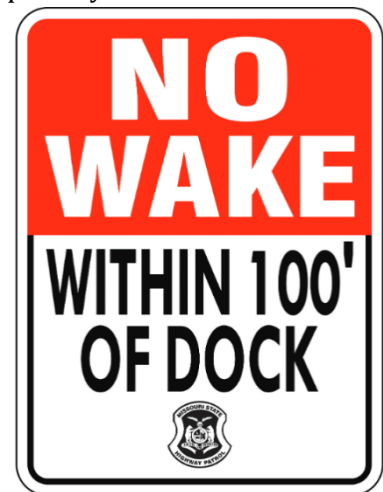


Figure 1. Missouri Water Patrol No Wake Sign for Docks

The group agreed that parallel mooring should be permitted with several suggestions for restrictions that are specifically mentioned in the comment portion of this section. There was also general consensus on the need for courtesy docks, and the groups provided several suggestions as to the logistics of these docks, which are noted later in this section. The group also agreed that while solar is the ideal power source for docks, mandated conversion to solar power would be cost prohibitive. The group agreed that such a mandate should allow adequate time for conversion, similar to encapsulated foam requirements for docks. Many group members agreed that solar or alternative power should be the only power sources on new docks. The group also agreed that current 100 foot dock spacing requirements should be maintained.

There was discussion regarding current regulations on grandfathered docks. The group believes that grandfathered docks should be brought into compliance as much as possible, and should be regulated the same as all other docks (including regulations regarding modifications). There was also discussion of increasing dock permit and renewal fees. While the group understands that Title 36 regulates the

fee structure, the group was in consensus that fees should be increased significantly if possible, with income generated from these fees being used to maintain the Table Rock Lake Recreation program.

The results of report-out sessions are documented below. The sections of the current SMP, below, are the sections considered relevant to private docks by the Corps. These sections were provided to each member of the group by the Corps. Additionally, text in red was added by the Corps as suggestions for discussion. The group was encouraged to both form their own topics for discussion related to the current SMP and to use this red text as possible discussion points. The results of discussion from each break out group are listed in bold by sub-group for each section of the document. In some cases groups had no comment on sections. Comments related specifically to other focus group subjects (i.e. Vegetative Modification or Shoreline Allocation) are highlighted in yellow.

**Current SMP:**

SECTION V

**SHORELINE USE PERMIT GUIDELINES**

5-01. Boat Docks.

a. Dock plans submitted with shoreline use permit applications must conform to the minimum construction, maintenance, and safety requirements outlined in SWLOM 1130-2-33, Exhibit II, Appendix G. Two sets of plans and specifications must be submitted along with the Shoreline Use Application to Table Rock Resident Office, Hwy. 165, P.O. Box 1109, Branson, Missouri 65616. Electrical certification must be provided before a Shoreline Use Permit can be issued or renewed (Exhibit II, Appendix F).

No new permits  
Regional/General Permits

**Break-Out Session 1**

**Group 1: Agree with all with the exception of roof pitch (Corps may need to define this pitch)**

**Group 2: Agree with Section A**

**Group 3: Agree**

**Break-Out Session 2**

**Group 1: Have an engineer or architect's input on pitch of roofs – due to snow load issues (only issue permits with a minimum roof pitch). Also only allow blues, greens, earth tones – no reds (part of group has no issues with galvanized). This would be to improve lake aesthetics.**

**Group 1: No Comment**

**Group 2: No changes**

**Group 3: As long as the specs are reasonable and up to date, no changes.**

**Current SMP:**

b. All new private docks placed on the lake must be community docks, with a minimum of 12 slips and a maximum of 20 slips. This will assure the most effective use of the limited amount of shoreline set aside for the mooring of private floating facilities by the maximum number of persons. The maximum size of 20 slips was established for safety reasons and to assure maneuverability of the dock during periods of pool fluctuation. Existing docks larger than 20 slips will be grandfathered if safely maintained and shoreline is not needed for a higher purpose.

Allow single owner docks  
Change minimum number of slips

**Break-Out Session 1**

**Group 1: Agree only with 20 slip max**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: Allow 2 stall minimum docks if within LDA. Keep 100 foot barrier between docks.**

**Group 2: Allow 1 slip minimum; 20 slip maximum in any LDA**

**Group 3: Allow 2 slip minimum within LDA. Would like to see 12-slip minimum still enforced within congested areas of the lake**

**Current SMP:**

(1) In community docks a family unit will be limited to a maximum of two single slips, the mooring of two boats and ownership in only one dock on Table Rock Lake. A completed Community Dock Owners Association Agreement and a completed Contract for Sale of Stall(s) in Community Boat Docks, Exhibit II, Appendix E, is required prior to the issuance of a permit.

Eliminate maximum slip ownership requirement  
Allow ownership in more than one dock  
Do not require CDOA's or contract for sales

**Break-Out Session 1**

**Group 1: Agree with all but maximum slip ownership**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: Maximum slip ownership of 4 slips – allow ownership in more than one dock; require contract of sale and CDOA**

**Group 2: Part of group recommends 2 slip max; others prefer 4 slip max. All agree to ownership in more than one dock. All agree not to require contract of sale or CDOA to streamline the process.**

**Group 3: Eliminate one dock restriction and allow maximum of 4 slip ownership**

**Current SMP:**

(2) A permit for a community dock does not give the members any exclusive rights to the use of Government lands for access, parking or utilities to serve the dock. Members may not: (a) remove vegetation or trees, (b) construct breakwaters to protect the dock from wave action or, (c) install buoys to restrict speed of passing boats.

**Allow removal of vegetation to float/maintain dock with prior approval**

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Changes Needed to Current SMP**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: (a) Add provision of 915 lake elevation for veg mod and must remain within the footprint of the dock**

**Group 2: agree with suggested change; and (c) only if authorized by the highway patrol**

**Group 3: (a) would like to clear vegetation to a higher elevation to allow for pulling docks up on shore (c) should be allowed with approval of appropriate authorities due to possible damage to docks and boats from speeding boats (particularly wake boats)**

**Matt added that the maximum placement of buoys is 100 feet from docks. This is already a regulation; buoys serve as reminders. Main issue is individuals already in non-compliance with current 100 foot regulation.**

**Current SMP:**

(3) Where necessary community dock members may be required to provide written permission from adjoining private landowners to assure access by land to the project boundary.

**See parking and access policy  
Only adjacent landowner's may obtain new dock permits**

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Changes Needed to Current SMP (Clarification)**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: Change in the parking and access policy (Policy 08-01 – Paragraph 3). Currently states “reasonable distance” – should be changed to “closest point”. This regulation is outdated as motors and large equipment is not being carried to the lake. Reasonable distance is subject to individual judgment including topography.**

**Group 3: Changed to policy 08-01 – change 200 feet to 400 feet. Reasonable term is difficult to interpret, however, rangers need to be able to have this discretion based on topography, etc.**

**Greg stated that this puts rangers in a difficult position and can cause inconsistency among ranger staff. J.L. added that lawsuits resulting from this type of language can be costly.**

**Current SMP:**

(4) Requests to expand community docks will be subject to prior approval by the other owners with an interest in the dock and the Table Rock Lake Resident Engineer. Requests will be reviewed on a case-by-case basis, considering the physical characteristics of the area, available facilities nearby and possible financial hardships of those involved.

**Require majority owner approval for dock modification.**

**Require 100% owner approval for dock modification.**

**No owner approval needed for dock modification.**

**Break-Out Session 1**

**Group 1: 2 votes Concur as is / 2 votes Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: Require at least 2/3 or 3/4 majority for all changes to community docks**

**Group 2: require majority owner approval and 2 most affected slips for dock modification and require 100 percent approval for dock replacement**

**Group 3: simple 2/3 majority needed for modifications – no comments on replacement at this time**

**Greg and Trish added that there is the option for the Corps to stay out of it and let the association manage their own dock modifications and replacement issues. Many members of the group agreed with this logic and stated they had not given this thought prior to this discussion. In this case Corps would only be involved in the approval process.**

**Current SMP:**

(5) Community docks must be moored perpendicular to the shore. Docks should not extend out from the shore more than one-third of the cove width at conservation pool elevation. Exceptions may be considered based on unique physical characteristics of the site location. The dock size, configuration, and anchoring must be approved by the Resident Engineer.

Docks can be moored perpendicular or parallel.  
Docks must be moored perpendicular.  
In areas where docks cannot meet the cove width requirement, parallel docks can be considered.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed**

**Break-Out Session 2**

**Group 1: Allow parallel docks with restrictions that you own the full LDA and remain within 1/3 of the width of the cove**

**Group 2: agree with Group 1 except that either you own the full LDA or have the consensus of all owners of LDA lands in this area**

**Group 3: parallel mooring should be allowed with the Corps approval**

**Current SMP:**

5-02. Existing Docks Under Permit. Existing docks that are already under permit and in good standing do not have to be converted to community docks. Those existing docks can be sold and/or relocated to other approved mooring sites on the lake.

Requests to expand the size of existing docks will be subject to prior approval by the Resident Engineer. Each request will be reviewed on a case-by-case basis considering the physical characteristics of the area, available facilities nearby and possible financial hardships of those involved.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Changes Needed**

### **Group 3: Changes Needed to Current SMP (Clarification)**

#### **Break-Out Session 2**

**Group 1: No change**

**Group 2: add the words “Corps of Engineers” before mooring sites**

**Group 3: No change**

#### **Current SMP:**

5-03. Courtesy Docks. Permits for courtesy docks will generally be issued to municipalities, commercial enterprises, civic groups, etc. Courtesy docks will be open design without roof and any signage must be approved by the Resident Engineer. The courtesy docks must be moored in limited development or marina buffer areas and used for short term tie-up (1-2 hours) while boaters are conducting their business. The permittee is responsible for providing suitable access to the dock. Courtesy dock permits will not be issued to individuals.

**Courtesy docks can only be moored in limited development areas.  
Courtesy docks will only be allowed in areas necessary to accommodate high and dry storage operation on private property.**

#### **Break-Out Session 1**

**Group 1: Further Discussion Needed**

**Group 2: Concur as is**

**Group 3: Concur as is**

#### **Break-Out Session 2**

**Group 1: Steve believes that resorts should be considered commercial enterprises or that municipalities should be able to permit courtesy docks. Greg stated that there currently is no explicit language to determine exact locations of courtesy docks. Steve also wants to continue to allow courtesy docks in marina buffer zones. Additionally, Steve feels that courtesy dock permits should be issued contingent on the development of an approved facility (restaurant, etc) as opposed to waiting for approval until after the facility is built.**

**This led to a discussion of shoreline allocations. Lowell suggested that reductions in marina buffers should be discussed, and possibly the former marina buffer zone should be converted to LDA. June agreed and added that members of the public she has contacted feel that the marina buffer zone should be decreased.**

**Group 2: Courtesy docks are needed and there is no consensus as to whether they should be allowed in commercial areas, however, the group agreed that they should be allowed in LDA.**

**Group 3: Support of courtesy docks - regulations on time limits are harsh and difficult for ranger staff to enforce**



**Current SMP:**

5-04. Instruments for Shoreline Use.

Shoreline use permits will be issued on ENG Form 4264-R. Samples of the permit and permit conditions are shown in Exhibit II, Appendix B and C. These permits may also be used to approve vegetation modification, foot-path construction, and similar activities which do not involve a change of land form or involve placement of permanent structures on project land.

Multiple permitted uses will be included on the same permit at no additional cost. Guidelines for Shoreline Use Permits is listed in Exhibit II, Appendix A.

Revocable shoreline use permits may be granted for private floating facilities, duck blinds, mooring buoys, ski jumps, and for vegetative modifications where such activities conform to the shoreline management plan and to land use allocations of the project master plan. An individual may have only one of the following items on Table Rock Lake to preclude usurpation of the shoreline. The applicant may have either:

- (1) A permit for a private floating facility.
- (2) Ownership of up to 2 slips in a community dock. (Valid state boat registration will be necessary to verify slip needs.)
- (3) A permit for a mooring buoy.

**Do not allow mooring buoys (none currently on the lake)**

- (4) A license for a cable tramway.

**Do not allow new tramways**

c. The requirement for community boat docks only will assure the most effective use of the limited amount of shoreline set aside for the mooring of private floating facilities by the maximum number of persons. The permit for a community dock will be issued to the person designated in an association agreement, or similar document, as the authorized representative for the slip owners in the dock. Valid boat registrations will be used to verify slip ownership and occupancy. Evidence must be furnished with the application assuring that the community dock association agreement and contracts for slip ownership have been notarized and filed with the county clerk. See Exhibit II, Appendix E.

- Allow new permits for single owner docks.**
- Do not require copies of boat registrations.**
- Do not require community dock owner's agreements.**
- Do not require contracts for slip ownership.**
- Only require dock owner information sheet provided by permittee.**

**Break-Out Session 1**

**Group 1: Changes Needed**

**Group 2: Changes Needed**

**Group 3: Changes Needed**

**Break-Out Session 2**

**Group 1: Do not allow mooring buoys or new tramways. Mr Walz stated that these add congestion and obstructions that are generally not properly maintained. Tramways are outdated and cause additional work for ranger staff. Allow ownership of 4 slips.**

**Group 2: Do not allow mooring buoys or new tramways. Allow ownership of 2-4 slips**

**Group 3: Under certain circumstances mooring buoys (especially for sailboats) and tramways should be allowed. Language indicating revocable permits may not be needed as all permits should be revocable. More clarification on private floating facility. Allow ownership of 4 slips. Registration necessary for new construction and boat docks only. Width of tramway is 9 feet 6 inches. June added that from an ecological and aesthetic standpoint tramways are ideal – boats are not sitting in water taking up space and possibly leaking fluids. Following June’s discussion many group members agreed that tramways are convenient, but there was no additional discussion as to discontinuation of permits. Lowell added that the inspection process is similar to docks. Tramways could be inspected by a third party inspector to reduce the load on the Corps. Trish added that there are 20-30 tramways currently on Table Rock Lake.**

**Current SMP:**

d. Underground electrical service lines are encouraged, but in consideration of rocky terrain, soil conditions, and pool fluctuation, excavation may be determined to be impractical. Under these restrictive conditions, overhead electrical lines will be permitted. Electrical service lines must meet all applicable electrical codes, regulations, and clearance requirements. A licensed, registered or otherwise certified electrician will provide a copy of the electrical certification (Exhibit II, Appendix F) to the Resident Engineer before a Shoreline Use Permit can be issued or renewed.

**New electrical service will be solar or alternative power.**

**If any electric service does not pass inspection or meet NEC at time of renewal, the electric service must be removed and replaced with solar.**

**Docks that are re-built must convert to solar, unless being rebuilt to the same footprint.**

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (Solar Only on new docks)**

**Group 2: Changes Needed to Current SMP (Not up to date)**

**Group 3: Changes Needed**

**Break-Out Session 2**

**Group 1: require solar on all new docks and rebuilt docks unless rebuilt dock is on the exact same footprint**

**Group 2: new electrical service will be solar or alternative power on new docks**

**Group 3: solar on new docks and old docks should be required to convert to solar over a specified amount of time. Jeremy added that this could be done on a similar plan to the encapsulated foam scenario. Lateral lines were given 20 years.**

**Ruth added that due to cost considerations it may be difficult to require conversion to solar on existing docks.**

**Current SMP:**

e. Docks will be spaced a minimum of 100 feet apart. This distance, measured at the conservation pool elevation, will provide increased fire protection, personal safety, shoreline aesthetics, fishing access, and general recreational use. The open space will facilitate maintenance of docks, cables, stiff arms, and related features of the dock and allow simultaneous maneuvering of several watercraft in a safe manner. Previously approved spacings of less than 100 feet will be grandfathered.

Spacing will be a minimal of 1 ½ times the length of the longest slip.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: 1 vote to concur – 3 votes changes needed**

**Group 3: concur as is**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change**

**Current SMP:**

f. The facilities in limited development areas will not occupy more than 50 percent of the total shoreline bearing that designation.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP– despite Title 36 Regulations**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No change due to Title 36 regulations**

**Group 2: No change due to Title 36 regulations**

**Group 3: No change due to Title 36 regulations**

**Current SMP:**

5-05. Permits, Authority to Issue. Project resource managers are authorized to issue shoreline use permits. ENG Form 4264-R, Application for Shoreline Use Permit, with permit conditions attached will be used (Exhibit II, Appendix C). Construction may proceed upon receipt of written approval of the plans by the Resident Engineer or his representative.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change**

**Current SMP:**

5-06. Permit Administration Charge. A charge will be made for shoreline use permits to help defray expenses associated with issuance and administration of the permits. Fees for shoreline use permits are listed in Exhibit X, Shoreline Use Permit Fees. Fees paid for shoreline use permits are non-refundable.

**Break-Out Session 1**

**Group 1: Believe fees should be changed with allocation brought back to TRL**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: Believe fees should be changed with allocation brought back to TRL**

**Group 3: There should be no veg mod permit fee and everyone would be allowed to mow 200 feet from the Corps line and this would eliminate significant workload to Corps staff – Tony added that shoreline use permits are required per Title 36. There needs to be research completed to determine if a fee is required – June added that eliminating the fee would reduce Corps workload**

**Current SMP:**

5-07. Permit Term. Shoreline use permits for private boat docks and vegetation modification are issued for a period of time not to exceed 5 years. The expiration date for permits for duck blinds will correspond with the closing of the waterfowl hunting season and the permittee will be required to remove the blind within 30 calendar days after the close of the season. All shoreline use permits are subject to revocation by the District Engineer whenever he determines that the public interest requires such revocation or the permittee fails to comply with the conditions of the permit, this plan, or ER-1130-2-406.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change**

**Current SMP:**

5-08. Posting of Permit Number. Two white plastic permit tags, approximately 6" x 8" in size, bearing the permit number and expiration date will be furnished with each permit issued. These tags will be posted on the floating facility on the right corner from land and water sides so they are clearly visible. Facilities and/or activities permitted under special conditions, such as grandfathering, will be identified by using green permit tags or with an "X" preceding the permit number to make them readily identifiable. An example is shown in Exhibit II, Appendix D.

**Eliminate the requirement for an "X" on grandfathered docks.**

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (agree with suggestion in red)**

**Group 2: Changes Needed to Current SMP (State Law needs to reflect)**

**Group 3: Concur as is**

## **Break-Out Session 2**

**Group 1: Add terminology regarding state law**

**Group 2: Add terminology regarding state law; agree with suggested change and remove status of grandfather docks**

**Group 3: agree with suggested change and remove status of grandfather docks (this does not mean remove the dock completely – only remove “label”)**

### **Current SMP:**

5-09. Design of Private Floating Facilities.

- A. General. All floating recreation facilities will be designed and constructed to meet or exceed the Minimum Construction and Maintenance Requirements for Private Floating Facilities (Exhibit II, Appendix G). Electrical service to docks will conform to the Safety Checklist. Electrical service to most docks is used only for lighting and the operation of battery chargers . Where there is an indication that power tools may be used on the dock, the use of an approved ground fault interrupter will be encouraged. Two sets of plans and specifications for the dock must accompany the application and will be subject to the approval of the Resident Engineer at Table Rock Lake or his authorized representative . The application along with plans, specifications may be sent or delivered to the Table Rock Resident Office, Hwy 165, P.O. Box 1109, Branson, Missouri 65616.

## **Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Concur as is**

## **Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change**

### **Current SMP:**

b. Limited Use. The use of boat mooring facilities will be limited to the moorings of boats owned by and registered to the permittees and co-owners and the storage of gear essential to the operation of the water craft. The installation of accommodations and facilities conducive to human habitation is prohibited. All new docks must be constructed with open sides.

**Docks may be used to moor the boats of family members.**

## **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (agree with suggested change in red)**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP (agree with suggested change in red)**

**Break-Out Session 2**

**Group 1: Family members only should be allowed to use docks temporarily**

**Group 2: Family members should be allowed to use docks temporarily (owner discretion – community docks will likely police themselves)**

**Group 3: Family members should be allowed to use docks temporarily**

**The entire group discussed the option of letting the community docks decide this and leave the Corps out of this decision.**

**Current SMP:**

c. Flotation. Any flotation materials, including those used as replacements, installed on Table Rock Lake after 1 January 1994, shall comply with condition 14 of Appendix C to 36 CFR 327.30, Shoreline Management. All flotation used with new docks and boat mooring buoys, shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation will be allowed. Foam bead flotation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb/cu ft is authorized. Foam bead flotation with a density of 1.0 lb/cu ft, but does not otherwise meet the above criteria, is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least 8 years against cracking, peeling, sloughing and deterioration from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft. Existing flotation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, After 1 January 1994, replacement flotation must meet or exceed the requirements outlined above.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Changes Needed to Current SMP (Updates)**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No changes**

**Group 2: No changes**

**Group 3: No changes**



**Current SMP:**

d. Buoys. The Missouri Division of Water Safety, in coordination with the Corps of Engineers, must approve the placement of buoys on the waters of Table Rock Lake. Applications may be mailed to the Missouri State Water Patrol, Box 603, Jefferson City, Missouri 65102. A discussion of application procedures and a copy of the Missouri State Water Patrol buoy application are shown in Exhibit IX.

Existing no wake buoys will be removed prior to renewing the dock permit.  
Buoys will be allowed at high traffic areas such as commercial marinas and resorts only.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: Remove no wake buoys around private or community docks due to state law that boats must remain 100 feet from docks. Leave buoys in marinas, resorts, and commercial zones. Update the information for the State Water Patrol.**

**Group 2: Do not allow new buoys on lake with the exception of marinas and resorts. Some say all buoys should be removed. Add additional State Water Patrol approved signage to indicate no wake zones within 100 feet of docks. State Water Patrol added an example and specifications for an approved sign.**

**Group 3: Lowell stated that language related to marina buoys does not belong in the SMP as marinas are not regulated by the SMP. Do not allow new buoys – use signage instead and educate the public on the 100 foot regulation for safety and dock/boat protection.**

**Mo State Water Patrol added that buoys add congestion and signs are a better alternative to eliminate wake issues near docks. The Water Patrol suggested additional education regarding the state law of maintaining 100 feet between a traveling boat and a boat dock. There should be regulations regarding speed of certain size boats or wake board boats within cove locations. There may need to be discussion of expanding this beyond 100 feet – possibly a comparison with other Corps projects.**

**Current SMP:**

(1) The placement of mooring buoys is subject to the same shoreline allocations and permit procedure as other private floating facilities. Mooring buoys must meet the criteria established in Exhibit VI. Persons who already have an interest in a dock will not be given an permit for a mooring buoy.

Eliminate issuing mooring buoys.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (agree with red text)**

**Group 2: Changes Needed to Current SMP (agree with red text)**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: eliminate issuing mooring buoys**

**Group 2: eliminate issuing mooring buoys**

**Group 3: sailboats should be able to have a mooring buoy close to the shore**

**Mo Water Patrol added that mooring buoys are unlikely to be issued.**

**Current SMP:**

(2) Regulatory buoys are not subject to the shoreline allocations in this plan and they do not require a shoreline use permit. The procurement and maintenance costs for private buoys will be borne by the individual(s) making the request. The Corps of Engineers will maintain regulatory buoys adjacent to Government developed facilities and in those areas identified as high danger.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Changes Needed**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change**

**Current SMP:**

e. DuckBlinds. A seasonal duck blind is defined as a structure fabricated from metal, lumber, wire, and other identifiable building material placed on a project for seasonal use. A permit is not required of those who hunt from the concealment of natural shoreline vegetation or portable blinds placed and removed on a daily basis. Applications for a duck blind permit is made on Application for Shoreline Use Permit, Exhibit II, Appendix B, however the permit will not be issued in excess of 30 days prior to waterfowl season. A drawing of the structure must accompany the application. Fees are listed in Exhibit X, Shoreline Use Permit Fees.

(1) A map will be maintained in the Resident Office showing the location of each permitted blind and shall be referred to while processing applications to avoid conflicts in location. The applicants are advised that the permit does not convey exclusive or protected hunting rights to any segment of the lake or shoreline.

(2) The applicant should be advised that the Corps of Engineers has no authority to protect the structure from use and trespass by the general public.

(3) The expiration date of the permit will correspond with the closing of the waterfowl hunting season. The permittee will be required to remove the structure within 30 calendar days after expiration of the permit.

### **Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Changes Needed**

### **Break-Out Session 2**

**Group 1: J.L. added that there need to changes to the distance between duck blinds be changed from 200 feet to 600 feet for to gun safety**

**Group 2: No changes**

**Group 3: No changes**

### **Current SMP:**

5-10. Tramways. Tramways are subject to the shoreline allocations in this plan. The Resident Engineer will forward all requests for tramways with recommendations concerning approval through the Chief, Construction-Operations Division, and Chief, Engineering Division, for approval of the plans, and to the Chief, Real Estate Division, to grant the necessary rights-of way. Tramways will generally be used to transport only boats and related equipment. Use of tramways for transportation of individuals is discouraged for safety reasons. In the event personal transportation is mandatory due to steep terrain or the physical condition of the user, the application should so state. All construction plans shall conform to the requirements shown in Exhibit VII.

**Eliminate permits for tramways.**

### **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (eliminate new – grandfather old)**

**Group 2: Changes Needed**

**Group 3: Concur as is**

## **Break-Out Session 2**

**Group 1: Eliminate permits for new tramways**

**Group 2: Eliminate permits for new tramways but open to allowing permits based on June's experience; however, regulations on distance between tramways and docks may need to be evaluated**

**Group 3: Allow permits for new tramways**

### **Current SMP:**

5-11. Collection of Fees. Payment may be made by check (personal, certified, cashiers, etc.) or money order made payable to FAO, Little Rock District. Payment may also be made in cash. Cash collection will be acknowledged by issuance of a receipt or SF Form 1165. Revenue from issuance of shoreline use permits will be collected by employees authorized to collect for petty cash sales. Therecreation fee cashiers or alternates will not handle fees for shoreline use permits. Collections will be scheduled to the Finance and Accounting Officer, using ENG Form 3313, Remittance Register. Collections identified as "Shoreline Use Permits" may be listed on the same schedule as reservoir maps, folder maps, etc. Fees for shoreline use permits are listed in Exhibit X. Shoreline use permit fees and are non refundable.

a. Renewals. The administration and inspection fees will be collected for renewed permits. A new permit will be issued whenever ownership of a private floating facility is transferred or when a new dock is placed on the lake. Electrical Certification Forms (Exhibit II, Appendix F) are required for renewal of permits for docks with electrical service. When a permit for a private floating facility is renewed in the name of the present owner, the applicant will receive the following:

(1) Month of expiration sticker (two copies).

(2) Year of expiration sticker (two copies).

(3) Signed copy of the permit, ENG 4264-R, including a statement of total fee paid signed by the person authorized to collect for petty cash sales.

b. ENG 4264-R. The permit (Exhibit II, Appendix B) will be prepared in triplicate. The original will be given to the permittee. The second copy will be kept on file in the Resident Office. The third copy will accompany the remittance to the Finance and Accounting Office.

## **Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: 1 vote Changes Needed to Current SMP (Section B – electronic copies only) / 3 votes concur**

## **Break-Out Session 2**

**Group 1: No change**

**Group 2: No change**

**Group 3: No change – Lowell suggested using only electronic copies and tablets rather than paper copies (issuance/signing/email copies) to cut down on paperwork and filing – this can be implemented in the future**

**Current SMP:**

5-12. Grandfather Clause. Previously approved private floating facilities already moored in areas where allocations made by this shoreline management plan to not allow docks will be permitted to remain in their present locations or relocated to a limited development area with approval from the Resident Engineer or his representative. Private or community docks with more than 20 slips, or those with less than a 100-foot spacing between docks will be grandfathered. Existing private and community docks in these areas may not be enlarged in size to accommodate additional boats. Section 1134(d) of Public Law 99-662 provides that any lawfully installed dock in place under a valid shoreline use permit as of 17 November 1986 cannot be forced to be removed if it meets the following conditions:

Eliminate grandfathered docks.  
Allow modifications to these docks.

- a. such property is maintained in a usable and safe condition,
- b. such property does not occasion a threat to life or property, and
- c. the holder of the permit is in substantial compliance with the existing permit.

**Break-Out Session 1**

**Group 1: Changes Needed**

**Group 2: Changes Needed**

**Group 3: Changes Needed**

**Break-Out Session 2**

**Group 1: grandfathered docks should be brought into compliance and modifications should be allowed**

**Group 2: grandfathered docks should be brought into compliance and modifications should be allowed**

**Group 3: grandfathered docks should be brought into compliance and modifications should be allowed**

**Grandfathered docks can be brought into compliance by adding LDA zoning from an unused area. This would be an issue only in cases where there is less than 100 feet between docks in which case these docks cannot be modified.**

**Current SMP:**

5-13. Termination of Permit. Termination of shoreline use permits for floating facilities shall follow the guidelines shown in Exhibit V.

5-14. Removal of Facilities. It is the responsibility of the permittee to remove facilities upon termination of the shoreline use permit. If the permittee fails to do so, the District Engineer may remove the facility by contract or otherwise and require reimbursement of the costs incurred from the permittee. Facilities not removed when specified in the permit or when requested after termination or revocation of the permit will be treated as unauthorized structures pursuant to 36 CFR 327.20.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No changes**

**Group 2: No changes**

**Group 3: No changes**

**Current SMP:**

SECTION VII

PERMITS

7-01. Shoreline Use Permits. Shoreline use permits are issued for private floating recreation facilities, access paths, vegetation modification, or temporary electric service lines which do not in any way involve a disruption to or a change in land form. All of these permits will be non-transferable. Upon sale or other transfer of the permitted facility or death of the permittee, the permit is null and void. A new permit may be issued to the new owner after an application has been made and administrative charges and inspection fees have been paid.

**Remove temporary electric lines.**

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (Agree with suggested change)**

**Group 2: Changes Needed to Current SMP (Agree with suggested change)**

**Group 3: Clarification Needed**

**Break-Out Session 2**

**Group 1: Remove temporary electric lines**

**Group 2: Remove temporary electric lines**

**Group 3: New permit “shall” be issued as opposed to “may” be issued**

**Current SMP:**

7-02. Department of the Army Permits. Activities such as dredging, construction of fixed structures, including fill and combination fixed-floating structures, and the discharge of dredged or fill material in navigation waters will be permitted under conditions specified in permits issued under authority of Section 10, River and Harbor Act of 3 March 1899 (33 USC 403) and Section 404 of the Federal Water Pollution Control Act (33 USC 1344). Shoreline use permits are not applicable.

**Break-Out Session 1**

**Group 1: Concur as is**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: No changes**

**Group 2: No changes**

**Group 3: No changes**

**Current SMP:**

7-03. Real Estate Instruments. All commercial development activities and all activities by individuals which are not covered above and involve grade, cuts, fills, other changes in land form, or appropriate land-based support facilities required for private floating facilities such as roads, drives, powerlines, and tramway rights-of-way will be covered by a lease, license, or other outgrant.

**No new outgrants will be issued to individuals. Existing outgrants will remain as long as they are maintained.**

**Break-Out Session 1**

**Group 1: Changes Needed**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: suggests allowing permanent steps or stairs for safety in LDA areas**

**Group 2: suggests allowing permanent steps or stairs for safety in LDA areas**

**Group 3: No change**

**Current SMP:**

7-04. Facilities Existing Under Special conditions. The Shoreline Management Plan will consider existing permitted facilities and prior written commitments. Approved facilities and/or activities outside limited development areas will be grandfathered. Green permit tags or permit numbers preceded by an "X" will be used to designate facilities and activities being allowed under special conditions and to set them apart from other facilities and/or activities. Special provisions also apply to the removal of grandfathered facilities or activities lawfully installed and under permit as of 29 December 1981 or 17 November 1986. Procedures regarding removal of these grandfathered facilities as provided for in PL 97-140 and PL 99-662 are outlined in paragraph 8 of ER 1130-2-406.

Remove the green permit tags and "x".

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP (agree with suggested change)**

**Group 2: Concur as is**

**Group 3: Concur as is**

**Break-Out Session 2**

**Group 1: Remove green permit tag and X**

**Group 2: Remove green permit tag and X**

**Group 3: Remove green permit tag and X to remove grandfather status (increase LDA to accommodate these docks)**

**Current SMP:**

7-05. Facility Maintenance. Minimum construction and maintenance requirements for floating facilities are outlined in Exhibit II, Appendix G. When deficiencies are detected, the Resident Engineer or his representative and permittee will establish a schedule, considering the seriousness of the safety deficiency, for correcting the situation at the permittee's expense.

**Break-Out Session 1**

**Group 1: Need Appendix Review**

**Group 2: Need Appendix Review**

**Group 3: Changes Needed to Current SMP per Appendix G**



## **Break-Out Session 2**

**Group 1: Recommend meeting with dock builders and engineers to review current dock specs**

**Group 2: Recommend meeting with dock builders and engineers to review current dock specs**

**Group 3: Recommend meeting with dock builders and engineers to review current dock specs**

## Overall suggestions and additions

- Group 2 would like to add third party dock inspections for renewals to streamline the dock inspection process for renewals.
- Recommendations to explore streamlining of new dock permits and renewals
- Recommendation that community docks regulate themselves as far as registration, allowing usage of slips, modification percentages
- J.L. suggested changes to Project Policy #08-05. Within Section 3a, J.L. suggested that the language “one owner” be changed to “one owner or a single or joint revocable or irrevocable trust”.
  - The number of slips owned should be attributed to the settlors of the trust and not the trustee for purposes of determining the number of slips owned.
  - For irrevocable trusts, the trustee must be able to grant use of the slip to the settlors by a Use and Enjoyment Agreement.
  - Certification of Trust is required.
  - Within Section 3d, the following text with a slash through it should be deleted: Slips will be allowed to have multiple owners ONLY in cases of inheritance. For such transfers, estate documentation will be required. ~~At the time of sale of inherited slips for which there are multiple owners, slips will be required to be transferred or sold only to current owners of the slip.~~

## Action Items

- The Corps will research to determine if a fee is required for a veg mod permit – Tony agreed to complete this research

Next Meeting – October 6<sup>th</sup> at 1PM

## Shoreline Allocations

This subsection contains details and discussion specific to the Shoreline Allocations Focus Group meeting. Members of this focus group in attendance were:

- Dennis Wood – Stone County Commissioner
- David Casaletto – Ozarks Water Watch
- Kathy Clark – Keller Williams Realty
- Shelia Thomas – Table Rock Chamber of Commerce
- Rick Carpenter – Dock Owner
- Randy Swanson – Port of Kimberling Marina
- Bill Lyons – Sunset Cove Homeowners
- Rick Ziegenfuss – City of Hollister Administrator
- Phil Cox – The Harbor Marina/ State Park Marina
- Kandis Davis – Developer
- Jay Steed – Developer/ Resort Owner

Matt Hough also attended representing Congressman Long's office

Trish presented the Table Rock Pictometry oblique imagery program. This presentation was intended to give the group an idea of the technological capabilities available to the Corps. The program provides 3 inch imagery for the entire lake. Trish provided examples of area and height measurement applications as well as imagery of illegal mowing, dock imagery with swim decks and lockers, and encroachments.

The first break-out session was held to develop a list of what should not be changed in managing Table Rock Lake and why. Break-out groups for this meeting were as follows:

- Group 1: Rick Carpenter, Kandis Davis, Jay Steed, and Phil Cox
- Group 2: Sheila Thomas, Randy Swanson, and Dennis Wood
- Group 3: Kathy Clark, Bill Lyons, David Casaletto, and Rick Ziegenfuss

The second break-out session was held to develop a list of what should be changed in the current SMP and why as well as recommendations for addressing the items that should be changed. Break-out groups for this meeting were as follows:

- Group 1: Jay Steed, Rick Carpenter, and David Casaletto
- Group 2: Randy Swanson, Kandis Davis, Kathy Clark, and Bill Lyons
- Group 3: Phil Cox, Sheila Thomas, Dennis Wood, and Rick Ziegenfuss

The shoreline allocation group had the difficult task of exploring the overarching shoreline zoning on the lake. While the format of this meeting was the same as that of the Docks focus group, it was determined that suggesting changes to the current SMP by section was more difficult given the overlap and repetition in many of these sections. There was also a significant amount of discussion amongst the entire group and with Corps staff which brought ideas and issues to the forefront that the group had not discussed previously. At the end of the meeting, the group asked for time for additional

thought and preparation prior to suggesting updates to the SMP. As a result, the discussion of the current SMP was not completed. However, there was significant discussion of several issues related to shoreline zoning, and comments related to specific sections of the SMP are recorded within the current SMP structure, below, as it was for the vegetative modification and docks subgroups.

There were several key discussion points raised by the shoreline allocation group. These key points included restricted limited development areas, marina and park buffer areas, dock regulations, and LDA zoning. There were also conversations regarding dock regulations (this discussion is highlighted in yellow in the sections below).

There was a consensus among the group that currently grandfathered docks should be held to the same standards and regulations as all other docks on the lake. The group as a whole agreed that restricted limited development area (RLDA) zoning, located outside Marina Buffer areas, where docks currently exist should be renamed LDA. There was a suggestion to rename grandfathered docks as “approved non-conforming” docks, to indicate that they may not be up to current dock standards. The group agreed to increase current LDAs in order to correct current inconsistencies and to allow additional LDA zoning for docks. A suggestion to increase the space available for docks included suggestions to change current dock spacing from 100 feet to 75 feet.

Some members of the group felt strongly that the current regulation requiring access to the lake within 200 feet for dock permits is outdated and unreasonable. The group agreed as a whole that this regulation needs to be updated. There was also significant discussion regarding distances for park and marina buffers. Group members unanimously suggested reducing park buffers to only include the boundary of the park. There were conflicting views among the group on marina buffers. Some members suggested eliminating marina buffers, while others suggested keeping marina buffers. The group as a whole believed that the issue of marina buffer areas should be discussed during the next meeting.

The results of report-out sessions are documented below. The sections of the current SMP are the sections considered relevant to shoreline allocation by the Corps. These sections were provided to each member of the group by the Corps. Additionally, text in red was added by the Corps as suggestions for discussion. The group was encouraged to both form their own topics for discussion related to the current SMP and to use this red text as possible discussion points. The results of discussion from each break out group are listed in bold by sub-group for each section of the document. In some cases groups had no comment on sections.

Group members indicated that the Re-evaluation of Zoning Requests at Table Rock Lake Memo needs to be updated once changes to the current SMP are completed. This memo was provided to the group as a reference.

**Current SMP:**

SECTION II

**OBIECTIVESOFTHEPLAN**

2-02. Commercial Concessions. Floating facilities used in connection with commercial concessions located in the parks are not affected by the shoreline allocations presented in this plan. These commercial operations are effectively controlled under existing Real Estate regulations. The remote storage facilities provided by these commercial operations within the designated marina buffer areas will reduce the need for numerous individually owned docks along the shoreline. Specific information concerning placement of remote service docks in marina buffer areas will be found in Exhibit III.

**Break-Out Session 1**

**Group 1: Needs Updating**

**Group 2: Needs Updating**

**Group 3: Needs Updating**

**Break-Out Session 2**

**Group 1: No Comment**

**Group 2: No changes**

**Group 3: No changes**

**Current SMP:**

2-03. Motel/Resort/Campground Leases.

a. Floating facilities used in connection with limited motel/resort/campground leases are subject to the shoreline allocations and minimum size requirements described in this plan. Shoreline use permits (ENG 4264) are not issued for these facilities. These docks are a part of the commercial operation covered by a Real Estate outgrant, and the maximum number of slips they may provide are effectively controlled by regulations pertaining to those outgrants. In those cases where existing motel/resort/campgrounds already provide docks for bona fide guests but are outside of designated limited development areas, the shoreline has been designated as a restricted limited development area. As long as the docks in these restricted limited development areas are maintained to Corps standards, the leases or licenses for these facilities may be renewed or transferred to a new owner and the facility remain at the same mooring location. Expansion of docks in a restricted limited development area will be considered on a case-by-case basis.

Update maps to reflect Resort Zoning as either LDA , RLDA, or Protected (if in Park buffer, Marina Buffer, or outside LDA).

Any new or changes to existing limited motel/resort docks must comply with the SMP requirements for boat docks.

**Break-Out Session 1**

**Group 1: Needs Updating**

**Group 2: Needs Updating**

**Group 3: Needs Updating**

## **Break-Out Session 2**

### **Group 1: Changes required based on general recommendations**

- **David believes grandfathered docks should be zoned LDA and should be treated as all other docks are treated on the lake within the current general dock regulations. RLDA zones with docks should be converted to LDA. Unused RLDA could be relocated to other applicable regions of the lake, within general dock regulations.**

**Group 2: Do not want these considered on case-by-case basis. Prefer development of criteria for expansion of docks. Remove RLDA zoning and allow this zoning to be relocated as LDA in applicable alternative regions of the lake. Any dock currently in RLDA would be classified as non-conforming (as opposed to grandfathered). These non-conforming docks would remain in the buffer zone without specific RLDA zoning (allowing use of relocated LDA in other regions of the lake).**

**Group 3: Allow non-conforming or grandfathered docks to be regulated according to current dock guidelines – these docks would be referred to as “approved non-conforming” docks. Marina buffer zones should not be seen as a conflict to private development.**

- **Initial dock permitting would be handled by Corps ranger staff, renewals would be handled by Corps real estate staff – including collection of fees. This would allow the fee structure to be reassessed, potentially allowing additional money to remain at the lake.**
- **Fee structure could be based on the square footage of the dock**
- **Move unusable LDA to appropriate areas of the lake or use it to correct current LDA discrepancies ; however, this must be selected with property owner consent and with knowledge of possible conversion to usable LDA based on changes to minimum number of slips.**

### **Current SMP:**

#### **2-05. Background.**

a . Table Rock Lake was selected as one of three representative study areas in the Southwestern Division designated to develop the initial lakeshore management plans. The general concept for lakeshore management was approved by the Division Engineer in October 1972. The general public participated in the development of a preliminary lakeshore management plan for Table Rock Lake through public meetings held in Shell Knob, Missouri, and Kimberling City, Missouri, in December 1972.

b . The initial plan was reviewed, updated with public involvement and approved by the Division Engineer in April 1976. Beginning in September 1981, the lakeshore management plan for Table Rock Lake was once again reviewed and updated with public involvement. The updated plan, which implemented a community dock only policy for the lake, was approved by the Division Engineer on 27 May 1982.

c . After a period of public involvement, 55 rezoning requests were approved as a supplement to the Table Rock Lakeshore Management Plan in January 1988. In April 1989, 25 rezoning requests were considered and made available for public review and comment. Subsequently, 15 of the rezoning requests were approved as a supplement to the Table Rock plan in April 1989. Following a similar procedure for public involvement, the Division Engineer approved 20 rezoning requests as a supplement to the plan in July 1990.

d. On 30 September 1990, the Division Engineer approved a 3-year pilot project which allows the existing marina operators to provide remote boat mooring docks. The docks must be located within the marina buffer areas designated in the shoreline management plan and used only for boat moorings. Rentals or product sales are not permitted to take place on the remote service docks. The details of this pilot project are outlined in Exhibit III.

Remove/End Commercial Remote Service Dock program. (Could or could not grandfather existing CRSD)

#### **Break-Out Session 1**

**Group 1: Needs Updating**

**Group 2: Needs Updating**

**Group 3: Needs Updating**

#### **Break-Out Session 2**

**Group 1: Change based on general recommendations. Maximize LDA zoning and slips by allowing docks with less than 12-slips in areas that currently do not meet requirements for a 12-stall dock. Also consider parallel docks in this space.**

**Group 2: Consider less than 12 slip docks in areas where 12-slip docks do not meet current requirements. Minimum number of slips in this case would be 2-stall.**

**Group 3: Consider less than 12 slip docks in areas where 12-slip docks do not meet current requirements. Minimum number of slips in this case would be 2-stall. Do not allow less than 12-stall docks in areas that would support 12-20 stall docks.**

- Jay believes that communities that would like a dock, but do not meet 12-stall dock standards, can receive a dock permit only for the maximum number of slips per regulations (i.e. - an area approved for an 8 stall dock cannot build a 6 stall dock. This is maximization of slips within regulations). Current parking regulations must be upheld. Private boat docks (2-stall) would also be allowed, in which case parking regulations would not be upheld.

#### **Current SMP:**

e. In 1991, 30 rezoning requests were considered and made available for public review and comment. Thirteen of these rezoning requests were approved by the Division Engineer as a supplement to the Lakeshore Management Plan for Table Rock Lake in August 1991.

2-06. Plan Conversion. Revision of 36 CFR 327.30 in 1990 required the Little Rock District to convert its currently approved lakeshore management plans, as supplemented, to shoreline management plan. The District's draft operating policy for shoreline management was discussed at public workshops held at the Table Rock Resident Office on 5 June 1991, and in Shell Knob, Missouri on 6 June 1991. The provisions of the District's shoreline management policy, SWLOM 1130-2-33, were approved by the District Engineer on 15 September 1992. The provisions of this SWLOM and the shoreline allocations contained in the most recent approved lakeshore management plan, as supplemented, are included in this Shoreline Management Plan for Table Rock Lake.

2-07. Five-Year Review. Shoreline management plans will be reviewed at least once every 5 years. The plan may be supplemented more frequently should regulations, project operations, project conditions, or management objectives change significantly. The District Engineer may approve minor administrative revisions to the plan when the revisions are consistent with ER 1130-2-406 or 36 CFR 327.30. The addition or deletion of limited development areas will not be considered minor revisions. Revisions of this nature will require public involvement and approval by the Division Engineer.

Add/remove/relocate LDAs  
Entertain re-zoning requests received before 2003 and located in Low Density.

### **Break-Out Session 1**

**Group 1: Needs Updating**

**Group 2: Needs Updating**

**Group 3: Needs Updating and Changes**

### **Break-Out Session 2**

**Group 1: No Comment**

**Group 2: Shoreline Management Plan should be able to be reviewed more frequently because the SMP is not updated every 5 years. All zoning requests should be reviewed upon receipt. Add criteria to allow LDA addition or relocation outside of the SMP update timeframe. These criteria would eliminate the need for appeals.**

**Group 3: In addition to group 2 suggestions, there should be an appeal system when any permit approval is rejected by the Corps. This appeal process should be reviewed before a group and should be arranged every 6 months.**

- **Jim explained that currently, changes in zoning fall under Title 36 regulations, which states allocations cannot be changed without an SMP update. Requests are held until the next SMP update occurs.**

### **Current SMP:**

#### **SECTION IV SHORELINE ALLOCATION**

4-01. General. Increased development of adjoining private land increases the demand for private floating facilities; therefore, a plan for systematic management of the shoreline is essential. This approach is intended to protect the natural beauty of the shoreline and to balance shoreline use to maximize the benefits for the most users.

### **Break-Out Session 1**

**Group 1: No Changes**

**Group 2: No Changes**

**Group 3: No Changes**

**Current SMP:**

4-02. Shoreline Allocation Maps. Allocations extend from the water's edge to the project boundary for land-based uses and from the shoreline waterward for floating facility considerations. Maps showing the shoreline allocations are included as Exhibit I of this Appendix. A master map of the shoreline is on display in the Duty Room at the Office of the Resident Engineer at Table Rock Lake.

Master Map will be considered GIS data maintained and stored at Project Office.

**Break-Out Session 1**

**Group 1: No Changes**

**Group 2: Agree with red text**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: No Comment**

**Group 2: Update to reflect the current SMP and MP map availability online. The group would prefer that pictometry file also be available online.**

**Group 3: No Comment**

**Current SMP:**

4-03. Allocations. A comprehensive study of the entire shoreline, involving public participation, resulted in development of this Shoreline Management Plan for Table Rock Lake. The plan establishes the following shoreline allocations:

a. Limited Development Areas. Approximately 10 percent of the shoreline at the top of conservation pool is designated for limited development. Private floating facilities are permitted in areas designated for limited development. These areas are shown in red on the shoreline allocation maps in Exhibit I.

Update percentage with current GIS data

Include all docks, tramways and ramps in LDAs by creating new LDAs (spot zoning, shifting, or extending existing LDAs). Create new LDA or relocate unsuitable LDAs.

Create LDAs for grandfathered docks.

Remove or relocate LDAs in High Density (courtesy and resort LDAs). Remove or relocate LDAs located in ESA (unusable areas or adjacent to USFS).

Update incorrectly labeled LDAs and RLDAs

Remove Resort shoreline zoning (In Marina, Park, RLDAs, and LDAs) and convert to allocation.

Convert courtesy Dock only and Community dock only allocations to LDA.

Renumber all LDAs if major changes.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**



**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: Raise LDA to 15 percent to correct problems that now exist with boat docks and allow additional LDA. This should be raised in proportion to other lakes.**

- **Based on further discussion, the group suggests regulating grandfathered docks under the same rules and regulations as conforming docks, thereby removing the status of grandfathered.**

**Group 2: Raise LDA to 20 percent. Change unsuitable LDAs to unusable LDAs – also, change “grandfathered” to “approved non-conforming”. In the last lines delete “remove” and replace with “relocate”. Agree with last line of red text (Convert courtesy Dock only and Community dock only allocations to LDA. Renumber all LDAs if major change) but add that consideration be given to docks less than 12.**

- **Based on further discussion, the group suggests regulating grandfathered docks under the same rules and regulations as conforming docks, thereby removing the status of grandfathered.** This should be done without removing current LDA. In some cases LDA could be shifted with current owner approval, however, this recommendation could be rejected by the real estate community.

**Group 3: Eliminate current inconsistencies in LDA zoning (this will increase the LDA percentage) to eliminate grandfathered docks. Move unsuitable LDA to conforming portions of the lake. Grandfathered docks that were approved outside of LDA by Corps error (fall outside LDA) should be granted LDA status. All grandfathered docks must follow the same standards as current conforming docks.**

**Current SMP:**

(1) All United States citizens have an opportunity to moor a dock in a limited development area provided the area has not reached the maximum density of development. The applicant must have ready access to the shoreline either by public road, ownership of adjoining property, or right of access across adjoining property. Generally, ready access to the lake is considered to be 200 feet or a reasonable distance a person could carry a motor, fishing tackle, and other related gear. Dock owners who are not permanent residents of the area must designate a local resident who will be responsible for surveillance of their dock on a 24-hour day basis.

(2) Generally, the number of docks that will be permitted in an area will be limited by spacing a minimum of 100 feet apart in ideal shoreline conditions. The allowable density of development in limited development areas will consider location, fluctuation of water level, ecological and aesthetic characteristics of the particular area, among other criteria. The density of development will not exceed 50 percent of the shoreline allocated for limited development when the lake level is at the top of conservation pool.

b. Restricted Limited Development Areas Restricted limited development areas are designated to honor previous commitments to owners of existing, lawfully installed docks. Docks moored in restricted development areas may be sold, bought, ownership transferred,

etc., and a permit issued to the new owner (6) allowing the dock to remain at its present location. All docks on the lake must be maintained to Corps of Engineers construction and safety standards regardless of the mooring locations. Docks moored in those areas will not be enlarged or expanded to accommodate additional boats. Construction of replacement docks or relocation of docking facilities within restricted limited development areas will be considered on a case-by-case basis.

Update RLDAs within marina buffer to current dock locations.

Remove or relocate RLDAs not being used by docks and convert to LDAs where needed.

Remove or relocate RLDAs outside of marina buffers where no dock exists. Remove or relocate RLDAs located in ESA. Convert these RLDAs to LDAs if relocated.

Convert used RLDAs in marina buffers to LDAs.

### **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed**

### **Break-Out Session 2**

**Group 1: Under 1) – where currently states “200 feet or” add “nearest privately owned deeded property” and strike the remainder of this sentence.**

**Under 2) change 100 feet to 75 feet (distance between docks)**

**Change used RLDAs to LDAs throughout the lake with the caveat that this only applies to marina buffers if these are continued (i.e. eliminate RLDA classification).**

**Believes resort zoning should remain if the marina buffer zone remains. If marina buffer zone is eliminated, this area should be converted to LDA. Additionally, there are remote satellite locations that were approved and these should stay in place regardless of shoreline or MP classification.**

**Group 2: Under 1) – where currently states “200 feet or” - delete 200 feet and add “nearest privately owned deeded property” and strike the remainder of this sentence.**

**Under 2) change 100 feet to 75 feet (distance between docks)**

**Relocate RLDAs not being used by docks and convert to LDAs where needed.**

**Relocate RLDAs outside of marina buffers where no dock exists. Relocate RLDAs located in ESA. Convert these RLDAs to LDAs if relocated.**

**Group 3: Under 1) - There is no need for a regulated distance (referring to the 200 feet). The Corps should not regulate this distance. Recommendation should be 1,000 feet or more.**

**Under 2) change 100 feet to 75 feet (distance between docks)**

**Dennis believes resorts should be regulated differently than community docks. These should be open for development throughout the lake including marina buffer zones (with certain restrictions).**

**Current SMP:**

c. **Park Buffer Areas.** These areas are shown in green on the shoreline allocation maps. Private floating facilities and resort docking facilities are not permitted within or adjacent to developed or future parks. Individuals or groups are not permitted to make any modification of the land form or vegetative characteristics of lands under this allocation. Commercial boat docks and marinas are permitted in public recreation and buffer areas. Existing private docks and resort facilities may be sold or ownership transferred and allowed to remain at their present locations under the grandfathering provisions of this plan. These facilities may be replaced, but cannot be expanded or enlarged to accommodate additional boats.

Remove Park Buffer at James River Future Park. Add Park buffer at Moonshine Beach and Peninsula Observation loop.

Remove all Park Buffers from lake and change to another allocation type.

Create grandfathered or RLDA allocation for existing resorts or private boat docks located in park buffers.

Reduce size of park buffers.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

**Break-Out Session 2**

**Group 1: Reduce to only include the boundary of the park.**

**Group 2: Remove Park Buffer at James River Future Park. Add Park buffer at Moonshine Beach and Peninsula Observation loop. Create grandfathered allocation for existing resorts or private boat docks located in park buffers. Define the boundaries of a park buffer. This group suggests reducing these buffer zones to include only the boundary of the park.**

**Group 3: Eliminate park buffer**

**Current SMP:**

d. **Protected Shoreline Areas.** Reaches of shoreline not designated by a color code on the shoreline allocation maps are considered protected shoreline areas. A majority of the shoreline on Table Rock Lake is designated as protected shoreline. These areas were designated to protect aesthetic, environmental, and fish and wildlife values. Other reaches of the shoreline were included under this allocation for physical protection, reasons including shallow areas and reaches of the shoreline subject to damaging winds or currents.

(1) Land access and boating are permitted along the shoreline with this allocation may be permitted if aesthetic, environmental, and natural resource values are not damaged or destroyed. Modification of the land form or vegetation may be permitted after the effects on the environmental and physical characteristics of the area have been considered and approved by the Resident Engineer.

(2) Rights-of-way for launching complexes across shoreline allocated as protected areas will be considered on a case-by-case basis. Shoreline Use Permits will not be issued for floating facilities in these zones.

Continue not designating color code for protected allocation.

### **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

### **Break-Out Session 2**

**Group 1: Pass**

**Group 2: No changes**

**Group 3: Pass**

### **Current SMP:**

e. Prohibited Access Areas. Private docks and shoreline uses are prohibited in areas immediately upstream from the dam for safety and security reasons.

Remove prohibited allocations near High Density Land Classification at Peninsula Observation Loop Public Use Area.

Create prohibited allocations on GIS map.

### **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

### **Break-Out Session 2**

**Group 1: Pass**

**Group 2: No changes**

**Group 3: Pass**

### **Current SMP:**

f. Marina Buffer Areas. These areas are designated in yellow on the shoreline allocation maps, Exhibit I. These areas are allocated for the placement of remote mooring

facilities by existing marina concessionaires on Table Rock Lake. Additional information regarding marina buffer areas may be found in the "Implementation Plan for the Table Rock Lake Pilot Project Concerning Placement of Remote Service Docks in Marina Buffer Areas" (Exhibit III).

**Remove or leave Marina Buffer Areas.**

**If remove marina buffer, change RLDA's located within Marina buffer to LDA's only where current docks are located. Convert RLDA's not being used to LDA's and relocate.**

**Remove Remote Service Dock site locations/buffer (not an allocation) from ESA**

**No Marina buffer located at Hideaway. Cape Fair does not include entire 3 driving miles on East side of 76 bridge.**

### **Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

### **Break-Out Session 2**

**Group 1: Eliminate marina buffer zone and all current RLDA should be converted to LDA and retain appointed remote dock location sites.**

**Jay believes marina buffers were intended to allow marinas to establish a firm foundation.**

**David believes that used RLDA should be converted to LDA, however he is undecided on eliminating marina buffer zones completely.**

**Rick believes that there should be an evaluation of the size of marina buffer zones.**

**Group 2: Keep marina buffers. Convert unused RLDA to LDA and relocate this area to other appropriate portions of the lake. No marina buffer located at Hideaway Marina.**

**Kathy states that she supports marina buffers only if RLDA can be relocated to other appropriate areas of the lake.**

**Randy stated that reduction of marina zones would require economic analysis completed by the Corps.**

**Group 3: Keep marina buffers. Convert unused RLDA to LDA and relocate this area to other appropriate portions of the lake. No marina buffer located at Hideaway Marina.**

**Rick stated that there is not a one size fits all measurement to establishing or changing marina buffer zones. He suggested that changes within the marina buffer zone must be approved by marina owner.**

**The group as a whole agreed to give this additional thought for the next meeting.**

**Current SMP:**

## SECTION V

### SHORELINE USE PERMIT GUIDELINES

5-12. Grandfather Clause. Previously approved private floating facilities already moored in areas where allocations made by this shoreline management plan to not allow docks will be permitted to remain in their present locations or relocated to a limited development area with approval from the Resident Engineer or his representative. Private or community docks with more than 20 slips, or those with less than a 100-foot spacing between docks will be grandfathered. Existing private and community docks in these areas may not be enlarged in size to accommodate additional boats. Section 1134(d) of Public Law 99-662 provides that any lawfully installed dock in place under a valid shoreline use permit as of 17 November 1986 cannot be forced to be removed if it meets the following conditions:

- a. such property is maintained in a usable and safe condition,
- b. such property does not occasion a threat to life or property, and
- c. the holder of the permit is in substantial compliance with the existing permit.

Remove Grandfather status of all docks outside of LDAs by creating or relocating LDAs for these docks.

Create Grandfather Status allocation for ease of tracking grandfathered dock locations.

#### Break-Out Session 1

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

#### Break-Out Session 2

**At this point of the report-out, the entire group asked for additional time to process thoughts and form suggestions, therefore there are no further results for Break-out Session 2.**

#### Current SMP:

## SECTION VII

### PERMITS

7-04. Facilities Existing Under Special conditions. The Shoreline Management Plan will consider existing permitted facilities and prior written commitments. Approved facilities and/or activities outside limited development areas will be grandfathered. Green permit tags or permit numbers preceded by an "X" will be used to designate facilities and activities being allowed under special conditions and to set them apart from other facilities and/or activities. Special provisions also apply to the removal of grandfathered facilities or activities lawfully installed and under permit as of 29 December 1981 or 17 November 1986. Procedures regarding removal of these grandfathered facilities as provided for in PL 97-140 and PL 99-662 are outlined in paragraph 8 of ER 1130-2-406.

Remove Grandfather status of all docks outside of LDAs by creating or relocating LDAs for these docks.

Create Grandfather Status allocation for ease of tracking grandfathered dock locations.

**Break-Out Session 1**

**Group 1: Changes Needed to Current SMP**

**Group 2: Changes Needed to Current SMP**

**Group 3: Changes Needed to Current SMP**

**Current SMP:**

IMPLEMENTATION PLAN FOR THE TABLE ROCK LAKE PILOT PROJECT CONCERNING  
PLACEMENT OF REMOTE SERVICE DOCKS IN MARINA BUFFER AREAS

1. Although the pilot project is currently limited to Table Rock, there may be future application to other projects within the District which administer shoreline management plans. The pilot project will be evaluated on an annual basis by the Chief, Construction-Operations Division with input from the Resident Engineer at Table Rock and from the Chief, Real Estate Division. The evaluation will be made in mid-October of each year. Significant administrative difficulties by one or more of the principals would be grounds for terminating the pilot program at any time within the 3-year trial period. The pilot project will be in effect for a minimally of 3 years before seeking Division approval to implement the plan on a broader scale. At the end of the 3-year period, additional public involvement would also be a part of this process.

2. The zoning allocations underlying the marina buffer designation will remain effective as they pertain to restricted limited development, park buffer, protected shoreline, and prohibited area allocations. This concept is represented schematically in enclosure land pictorially in enclosure 2. In the event the pilot project is terminated:

- a. The previous shoreline allocations will be reinstated.
- b. Remote mooring facilities in place would be placed in the restricted l
- c. Limited development category and allowed to remain at their present location until expiration of the lease.

3. The purpose of the remote service facility will be boat mooring only. Launching ramps may be furnished if there is a proven need and the ramp will be open to the public without charge. No other commercial activities will be permitted in connection with the dock.

a. The remote service dock within the marina buffer area must be submitted to the Chief of Real Estate, with a copy furnished to the Resident Engineer. Each request for a lease expansion site will be coordinated with the Chief, construction-Operations Division and if approved, will be added to the lease by a supplemental agreement issued by the Chief, Real Estate Division.

b. Remote lease sites and facilities constructed thereon are available for use by the general public to the same extent as facilities within the prime lease site. Locations approved for the placement of remote docking facilities do not require publicly dedicated road access. However, the concessionaire must provide proof of unrestricted access for marina customers. Convenient access to expansion docks will generally be accomplished by foot traffic; however, consideration will be given to authorizing an access road and parking area on government project at the expansion site, if appropriate.

c. Storage of replacement flotation material, cables and/or boat trailers will not be permitted at the remote site.

### **Break-Out Session 1**

**(Groups 1 and 2 did not finish discussion during the break-out period and therefore did not report)**

#### **Group 3: No Changes**

d. Rental rates at the remote service facility will not exceed those charged for comparable slips in the prime lease area. All arrangements will be reviewed and the price approved by the Chief, Real Estate Division. Rental payments to the Government will be computed by the Graduated Rental System with the cost of all facilities at the remote site added to the Gross Fixed Assets of the prime lease.

### **Break-Out Session 1**

**(Groups 1 and 2 did not finish discussion during the break-out period and therefore did not report)**

#### **Group 3: No Changes**

#### **Current SMP:**

e. The lessee is responsible for obtaining electrical service. The electric company will be granted right-of-entry on Government land by letter permit issued by Real Estate Division. Electrical service should be underground and underwater whenever possible.

4. Individuals desiring a dock to serve their needs within the marina buffer area will proceed through the concessionaire. It is the concessionaires decision whether to provide remote service mooring facilities in conjunction with his operation.

s. Mooring slips in the remote service docks will be available to the general public. Documentation of open public access to each remote service dock will be furnished to the Chief, Real Estate along with the plans, specifications, and proof of insurance for the remote service docks. These items will be submitted for approval in the same manner as a request to expand the facilities in the prime lease area.

6. The remote service facility dock will remain the property and responsibility of the concessionaire. The operation of the remote service facility dock will be subject to the same conditions as the commercial concession lease. This would include, but not be limited, nondiscrimination provisions, rental payments, safety requirements and rental rates.

7. Placement of a remote service dock within the marina buffer area will not serve as a basis for expanding the marina buffer from that point.

s. Docks leased for the purpose of providing limited motel/resort/campground facilities will be permitted to develop and expand in properly allocated areas within the Marina Buffer Area. These actions will be reviewed and approved in accordance with established procedures as specified in LRDOM 405-1-5.

9. This implementation plan is subject to review by the Office of counsel to assure compliance with the provisions of the Administrative Procedures Act.

### **Break-Out Session 1**



**(Groups 1 and 2 did not finish discussion during the break-out period and therefore did not report)**

**Group 3: No Changes**

**Current SMP:**

10. Matters not specifically addressed in this implementation plan will be referred to the Chief, Construction-operations Division for review, coordination, referral or approval as appropriate.

**Break-Out Session 1**

**(Groups 1 and 2 did not finish discussion during the break-out period and therefore did not report)**

**Group 3: No Changes**

**Action Items**

The group agreed to focus on the following points prior to the next meeting:

- Marina buffer zones
  - Reduction
  - Definition of measurement (currently approx.. 3 road miles)
  - Remote Service Docks
- Resort Dock Zoning
- RLDA zoning changes

Add definition of destination resort from Master Plan

**Next Meeting – October 5<sup>th</sup> at 8AM**